

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2635 - SB 2534

February 24, 2022

SUMMARY OF BILL: Specifies that the costs incurred by a records custodian for producing a public record upon request include the labor costs associated with locating, redacting, and producing each record requested for inspection.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Tennessee Code Annotated § 10-7-503(a)(7)(B)(i) authorizes a records custodian to require a requestor pay reasonable costs incurred in producing requested material and to assess such reasonable costs in the manner established by the Office of Open Records Counsel (OORC).
- Pursuant to Tenn. Code Ann. § 8-64-604, the OORC shall establish a schedule of reasonable charges that a records custodian may use as a guideline to charge a citizen making a records request.
- In establishing the schedule, the OORC shall consider:
 - The complexity of the request;
 - The number of man hours involved in retrieving and redacting documents;
 - Any other cost involved in preparing the documents for duplication;
 - The cost of duplication;
 - The costs of mailing documents to certain requestors; and
 - Any other costs that the OORC deems appropriate to include in the charge.
- Since the fee schedule established by the OORC considers labor costs associated with locating, redacting, and producing records, specifying that the costs incurred by a records custodian include certain labor costs will not result in any significant impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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